

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL NO. G-03-06 (04)
	§	CIVIL ACTION NO. G-05-444
GEORGE SANFORD	§	

**OPINION AND ORDER**


Before the Court is a Report and Recommendation from the United States Magistrate Judge which recommends that the “ Motion to Vacate Sentence” of George Sanford be granted; that the sentence imposed on Sanford be vacated; and that Sanford be re-sentenced. Objections, if any, were due by August 25, 2006, however, to date none have been filed.

Upon *de novo* review under 28 U.S.C. § 636(b)(1)(C), this Court finds that the Report and Recommendation of the Magistrate Judge is a well reasoned and correct application of constitutional law to the facts in this case and it is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

It is, therefore, **ORDERED** that the Motion to Vacate Sentence (Instrument no. 302) of George Sanford is **GRANTED** and the sentence imposed on Sanford is **VACATED**.

It is further **ORDERED** that Sanford **WILL BE Re-sentenced** by this Court on **October 6, 2006 at 10:00 a.m..**

**DONE** at Galveston, Texas this 7<sup>th</sup> day of September, 2006.

  
\_\_\_\_\_  
Samuel B. Kent  
United States District Judge